

Panaji, 1st November, 1990 (Kartika 10, 1912)

SERIES II No. 31

OFFICIAL GAZETTE



GOVERNMENT OF GOA

GOVERNMENT OF GOA

Department of Cooperation

Office of the Assistant Registrar of Coop. Societies

Order

No. 3/17/82/HSG/SBI-Supervisory

- Read: 1) Audit Report of the State Bank of India Supervisory Officers Coop. Housing Society Ltd., Porvorim for the year 1988-89.
 2) This office interim order No. 3/17/82/HSG/-SBI Supervisory dated 27-12-1989 whereunder the society was called upon to submit its explanation, if any as to why the society should not be wound up.

In virtue of the powers vested in me under Section 102(1) of the Maharashtra Cooperative Societies Act, 1960 as applied to Goa, read with Rule 84 of the Cooperative Societies Rules, 1962 the above mentioned society was called upon to submit its explanation as to why the society be not taken into liquidation within one month from the date of issue of interim order mentioned at Sr. No. 2 above. However, no reply has been received from the society and I am satisfied that there is no objection to the society being taken into liquidation. Hence, I, M. J. Khorate, Asstt. Registrar of Cooperative Societies, North Zone, Mapusa hereby confirm the aforesaid order in terms of Section 102(2) of the aforesaid Act, as applied to Goa.

Further, under Section 103(1) of the Maharashtra Cooperative Societies Act, 1960 as applied to Goa read with Rule 86(1) of the Cooperative Societies Rules, 1962, I appoint Shri J. N. T. Rodrigues, Jr. Auditor Coop. Societies, North Zone, Mapusa as Liquidator of the State Bank of India Supervisory Officers Coop. Housing Society Ltd., Porvorim-Bardez.

M. J. Khorate, Asstt. Registrar of Coop. Societies (North Zone).

Mapusa, 18th June, 1990.

Notification

In exercise of the powers vested in me under Section 9(1) of the Maharashtra Cooperative Societies Act, 1960 as applied to the State of Goa, The Xapora Boat Owners Fisheries Coop. Society Ltd., Xapora, Bardez-Goa, is registered under the code symbol No. GEN-(C)-3/NZ/Goa.

M. J. Khorate, Asstt. Registrar of Coop. Societies (North Zone).

Mapusa, 26th June, 1990.

Certificate of Registration

The Xapora Boat Owners Fisheries Coop. Society Ltd., Xapora, Bardez-Goa has been registered on 26th June, 1990 and it bears registration No. GEN-(C)-3/NZ/Goa and it is classified as "General Society" under Sub-classification No. 9(c) — "Others" in terms of Rule 9 of the Cooperative Societies Rules, 1962, for the State of Goa.

M. J. Khorate, Asstt. Registrar of Coop. Societies (North Zone).

Mapusa, 26th June, 1990.

Notification

In exercise of the powers vested in me under Section 9 of the Maharashtra Cooperative Societies Act, 1960 as applied to the State of Goa, the Roldao Henrique Coop. Housing Society Ltd., Non-Mon, Vasco-da-Gama-Goa is registered under code symbol No. HSG-(b)-33/South Goa/90.

A. V. Chikkodi, Asstt. Registrar of Coop. Societies (South Zone).

Margao, 26th June, 1990.

Certificate of Registration

The Roldao Henrique Coop. Housing Society Ltd., Non-Mon, Vasco-da-Gama-Goa has been registered on 26th June, 1990 and it bears registration code symbol No. HSG-(b)-33/South Goa/90 and it is classified as "Housing Society" under Sub-classification No. 5(b)-Tenant Co-partnership Housing Society in terms of Rule 9 of the Coop. Societies Rules, 1962 for the State of Goa.

A. V. Chikkodi, Asstt. Registrar of Coop. Societies (South Zone).

Margao, 26th June, 1990.

Notification

In exercise of the powers vested in me under Section 9 of the Maharashtra Cooperative Societies Act, 1960 as applied to the State of Goa, The Elvira Cooperative Housing Society Ltd., Aqueum-Alto, Margao-Goa is registered under symbol No. HSG-(b)-30/South Goa/90.

A. V. Chikkodi, Asstt. Registrar of Coop. Societies (South Zone).

Margao, 30th April, 1990.

Certificate of Registration

The Elvira Coop. Housing Society Ltd., Behind Santosh Garage, Aqueum-Alto, Margao-Goa has been registered on 30-4-1990 and it bears registration code symbol No. HSG-(b)-30/South Goa/90 and it is classified as 'Housing Society' under Sub-classification No. 5 (b)-Tenant Co-partnership Housing Societies in terms of Rule 9 of the Coop. Societies Rules 1962 for the State of Goa.

A. V. Chikkodi, Asstt. Registrar of Coop. Societies (South Zone).

Margao, 30th April, 1990.

Notification

In exercise of the powers vested in me under Section 9(1) of the Maharashtra Cooperative Societies Act, 1960 as applied to the State of Goa, Shri Navdurga Consumers Cooperative Society Ltd., Borim-Ponda-Goa is registered under code symbol No. ARCS/CZ/Consumer/22/ADM/90.

Sd/- G. S. Patil, Asstt. Registrar of Coop. Societies (Central Zone).

Panaji, 12th April, 1990.

Certificate of Registration

Shri Navdurga Consumers Cooperative Society Ltd., Borim-Ponda-Goa has been registered on 12th April, 1990 and it bears registration code symbol No. ARCS/CZ/Consumer/22/ADM/90 and it is classified as Consumer Society in terms of Rules 9(1) of the Coop. Societies Rules, 1962 for the State of Goa.

Sd/- G. S. Patil, Asstt. Registrar of Coop. Societies, (Central Zone).

Panaji, 12th April, 1990.

Notification

In exercise of the powers vested in me under Section 9 of the Maharashtra Societies Act, 1960 as applied to the State of Goa, The Varmahalaxmi Coop. Housing Society Ltd., Comba near Vithal Mandir, Margao-Goa is registered under code symbol No. HSG-(b)-31/South Goa/90:

A. V. Chikkodi, Asstt. Registrar of Coop. Societies (South Zone).

Margao, 30th April, 1990.

Certificate of Registration

The Varmahalaxmi Coop. Housing Society Ltd., Comba, near Vithal Mandir, Margao-Goa has been registered on 30-4-1990 and it bears registration code symbol No. HSG-(b)-31/South Goa/90 and it is classified as "Housing Society" under Sub-classification No. 5-(b)-Tenant Co-partnership Housing Society in terms of Rule 9 of the Coop. Societies Rules, 1962 for the State of Goa.

A. V. Chikkodi, Asstt. Registrar of Coop. Societies (South Zone).

Margao, 30th April, 1990.

Notification

In exercise of the powers vested in me under Section 9 of the Maharashtra Cooperative Societies Act, 1960 as applied to the State of Goa, The Nandini Coop. Housing Society Ltd., Zuarinagar-Sancoale-Goa, Pin code 403 726 is registered under code symbol No. HSG-(b)-32/South Goa/90.

A. V. Chikkodi, Asstt. Registrar of Coop. Societies (South Zone).

Margao, 30th April, 1990.

Certificate of Registration

The Nandini Coop. Housing Society Ltd., Zuarinagar, Sancoale-Goa Pin code 403 726 has been registered on 30-4-1990 and it bears registration code symbol No. HSG-(b)-32/South Goa/90 and it is classified as "Housing Society" under Sub-classification No. 5-(b)-Tenant Co-partnership Housing Society in terms of Rule 9 of the Coop. Societies Rules 1962 for the State of Goa.

A. V. Chikkodi, Asstt. Registrar of Coop. Societies (South Zone).

Margao, 30th April, 1990.

Revenue Department

Notification

No. 22/138/89-RD

Whereas by Government Notification No. 22/138/89-RD dated 27-10-89 published on page 403 of Series II, No. 33 of the Official Gazette, dated 16-11-89 and in two newspapers (1) Rashtramat dated 4-11-89 (2) Herald dated 6-11-89 it was notified under section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act") that the land, specified in the Schedule appended to the said Notification was likely to be needed for the public purpose viz. Land Acquisition for construction of 8.00 mts.

double span culvert including its approaches at Chandor Cotta.

And Whereas, the Government of Goa (hereinafter referred to as "the Government") after considering the report made under sub-section (2) of section 5A of the said Act is satisfied that the land specified in the Schedule hereto is needed for the public purpose specified above (hereinafter referred to as "the said land").

Now, Therefore, the Government hereby declares, under section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government also appoints under clause (c) of section 3 of the said Act, the Dy. Collector (Rev) Collectorate of South Goa, Margao to perform the functions of a Collector for all proceedings hereinafter to be taken in respect of the said land, and directs him under section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the Office of the said Dy. Collector (Rev) Collectorate of South Goa, Margao till the award is made under section 11.

SCHEDULE

(Description of the said land)

Taluka: Salcete

Village: Chandor

Survey No. Sub. Div. No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3
19 part	1. Sara Barbosa Fernandes. 2. Chico Fernandes. 3. Maria de Jesus Fernandes.	255.00
<i>Boundaries:</i>		
North: Railway Property. South: River. East: S. No. 19. West: S. No. 19.		
17/2 part	1. Maria de Jesus Fernandes. 2. Sara Barbosa Fernandes.	150.00
<i>Boundaries:</i>		
North: Foot path. South: S. No. 17/2. East: S. No. 17/2. West: Foot path.		
18/1 part	1. Chico Fernandes. 2. Maria de Jesus Fernandes.	40.00
<i>Boundaries:</i>		
North: River. South: S. No. 18/1. East: Footpath. West: S. No. 18/1.		
Total		445.00

By order and in the name of the Governor of Goa.

P. S. Nadkarni, Under Secretary (Revenue).

Panaji, 24th October, 1990.

Corrigendum

No. 22/137/89-RD

Read: Notification No. 22/137/89-RD dated 6-3-1990 published in the Official Gazette Series II, No. 51, at pages 668 to 670, dated 22-3-1990, and in two Newspapers (1) Herald dated 12-3-1990 and (2) Rashtramat dated 12-3-1990.

The Survey Nos./Sub. Div. Nos. from 103/1 to 103/19 and the description thereof, in the Schedule appended to the notification cited above, may be deleted and the following may be added after Survey No./Sub. Div. No. 118/4 and

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the description of the boundaries thereof, and the total area may be read as 14097 sq. metres:—

Survey No. Sub. Div. No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3
108/3 part	Franquino Saude Paes. Antonio Francisco Paes. Dr. Alexander Paes. Dr. Sebastiao Avelino Paes.	300.00
108/1	Felizerberth Eliza Maximiad Almeida e Miranda. T: Custodio Mendes.	7.00
108/5	Ruto Martins Paes. Roqueta Andrade Paes. Maximo Paes. Consecao Almeida. Accacino Paes. Co-owner: Aplonia Filomena Furtado.	55.00
108/9	Julieta Pereira.	150.00
108/14	Felizaberto Eliza M. Almeida e Miranda. Franklin Faustina Rodrigues. Francisco Santana A. Fernandes.	160.00

By order and in the name of the Governor of Goa,

P. S. Nadkarni, Under Secretary (Revenue).

Panaji, 4th October, 1990.

Public Health Department

Order

No. 10/5/88-I/PHD (Vol. III)

The following postings and transfers are ordered with immediate effect in public interest.

Sr. No.	Name, designation and present posting of the officer	Designation and place of transfer
1	2	3
1.	Dr. Ramesh Malcornekar, Health Officer, Primary Health Centre, Valpoi.	Health Officer, Primary Health Centre, Betki, against vacant post.
2.	Dr. Anant V. Naik, Health Officer, Urban Health Centre, Mapusa.	Health Officer, Primary Health Centre, Valpoi vice Dr. Ramesh Malcornekar, transferred.
3.	Dr. Atmaram R. Borkar, Junior Gynaecologist, Primary Health Centre, Canacona.	Junior Gynaecologist, Hospicio Hospital, Margao vice Dr. Jose P. Noronha, transferred.
4.	Dr. Jose P. Noronha, Junior Gynaecologist, Hospicio Hospital, Margao.	Junior Gynaecologist Primary Health Centre, Canacona vice Dr. Atmaram R. Borkar, transferred.
5.	Dr. Vinod Naik, Medical Officer, Primary Health Centre, Sanguem.	Medical Officer, Hospicio Hospital, Margao vice Dr. Luis Caitano J. F. D'Mello, transferred.
6.	Dr. Luis Caitano J. F. D'Mello, Medical Officer, Hospicio Hospital, Margao.	Medical Officer, Primary Health Centre, Bali, vice Dr. Kanchan Karmali, transferred.
7.	Dr. (Mrs.) Kanchan Karmali, Medical Officer, Primary Health Centre, Bali.	Medical Officer, Hospicio Hospital, Margao vice Dr. Roshan Khandeparé, transferred.
8.	Dr. Roshan Khandeparé, Medical Officer, Hospicio Hospital, Margao.	Medical Officer, Primary Health Centre, Cansaulim vice Dr. Jose de Carmo Flores, transferred.

1	2	3
9.	Dr. Jose de Carmo Flores, Medical Officer, Primary Health Centre, Cansaulim.	Medical Officer, Hospicio Hospital, Margao vice Dr. Maria Evilasia Coutinho Medonca, transferred.
10.	Dr. Maria Evilasia Coutinho Medonca, Medical Officer, Hospicio Hospital, Margao.	Medical Officer, Primary Health Centre, Bali vice Dr. Purushottam Godge, transferred.
11.	Dr. Purushottam K. Godge, Medical Officer, Primary Health Centre, Bali.	Medical Officer, Hospicio Hospital, Margao vice Dr. (Mrs.) Marcia Rosa Pacheco, transferred.
12.	Dr. (Mrs.) Marcia Rosa Pacheco, Medical Officer, Hospicio Hospital, Margao.	Medical Officer, Cottage Hospital, Chicalim vice Dr. (Mrs.) Patricia Sequeira transferred.
13.	Dr. Kissan Sansgiri, Medical Officer, Primary Health Centre, Sanguem.	Medical Officer, Primary Health Centre, Sanguem vice Dr. Vinod Naik, transferred.
14.	Dr. B. C. Patil, Rural Medical Officer, Rural Medical Dispensary, Chorao.	Medical Officer, Primary Health Centre, Curtorim vice Dr. Kissan Sansgiri, transferred.
15.	Dr. Anil Pednekar, Medical Officer, Cottage Hospital, Sanquelim.	Rural Medical Officer, Rural Medical Dispensary, Chorao vice Dr. B. C. Patil, transferred.
16.	Dr. Pradeep Podwal, Medical Officer, Directorate of Health Services, Panaji (Repatriated from Labour Department).	Medical Officer, Cottage Hospital, Sanquelim vice Dr. Anil Pednekar, transferred.
17.	Dr. Vinayak Karpe, Medical Officer, Cottage Hospital, Sanquelim.	Rural Medical Officer, Rural Medical Dispensary, Chapora vice Dr. Shivaraj Lotlikar, already transferred on deputation to Labour Department.
18.	Dr. Suhas Lawanis, Medical Officer, Asilo Hospital, Mapusa.	Medical Officer, Cottage Hospital, Sanquelim vice Dr. Vinayak Karpe, transferred.
19.	Dr. S. P. Shirgaonkar, Medical Officer, Primary Health Centre, Siolim.	Medical Officer, Asilo Hospital, Mapusa vice Dr. Suhas Lawanis, transferred.
20.	Dr. Jayant Dessai, Medical Officer, Asilo Hospital, Mapusa.	Medical Officer, Hospicio Hospital, Margao vice Dr. A. Jaiswal, transferred.
21.	Dr. Dattaram Shetgaonkar, Rural Medical Officer, Rural Medical Dispensary, Mandrem.	Rural Medical Officer, Rural Medical Dispensary, Revoda/Nadora vice Dr. Anant V. S. Amonkar, transferred.
22.	Dr. Anant V. S. Amonkar, Rural Medical Officer, Rural Medical Dispensary, Revoda/Nadora.	Medical Officer, Primary Health Centre, Valpoi against vacant post of Dr. Gokuldas Sawant already transferred.
23.	Dr. A. Jaiswal, Medical Officer, Hospicio Hospital, Margao.	Medical Officer, Cottage Hospital, Chicalim against newly created post.
24.	Dr. (Mrs.) Vishrant Kaisare, Medical Officer, Public Health Laboratory, Directorate of Health Services, Panaji.	Medical Officer, Primary Health Centre, Siolim vice Dr. S. P. Shirgaonkar, transferred.
25.	Dr. V. R. P. Vaidya, Junior School Health Officer, Primary Health Centre, Sanguem.	Medical Officer, Primary Health Centre, Betki vice Dr. (Mrs.) Preetam Naik, transferred.
26.	Dr. (Mrs.) Sarita Kamat, Medical Officer, Hospicio Hospital, Margao.	Medical Officer, Primary Health Centre, Curchorem vice Dr. Prakash Curchorkar, transferred.

1	2	3
27.	Dr. Prakash Curchorkar, Medical Officer, Primary Health Centre, Curchorem.	Medical Officer, Primary Health Centre, Colvalé against vacant post.
28.	Dr. Ashok Kakode, Medical Officer, Primary Health Centre, Curchorem.	Medical Officer, Primary Health Centre, Canacona vice Dr. Manoj Kanti Mandal, services placed at the disposal of Daman & Diu Administration.
29.	Dr. Mohandas Pednekar, Medical Officer, Primary Health Centre, Canacona.	Medical Officer, Asilo Hospital, Mapusa vice Dr. Jayant Dessai, transferred.
30.	Dr. Vasco Teles, Rural Medical Officer, Rural Medical Dispensary, Dhargalim.	Medical Officer, Primary Health Centre, Canacona vice Dr. Mohandas Pednekar, transferred.
31.	Dr. P. Korgaonkar, Medical Officer, Asilo Hospital, Mapusa.	Rural Medical Officer, Rural Medical Dispensary, Dhargalim vice Dr. Vasco Teles, transferred.
32.	Dr. Ulhas Sawkar, Medical Officer, Primary Health Centre, Pernem.	Medical Officer, Asilo Hospital, Mapusa vice Dr. P. Korgaonkar, transferred.
33.	Dr. Rajendra Tambe, Medical Officer, Family Welfare Bureau, Directorate of Health Services, Panaji.	Rural Medical Officer, Rural Medical Dispensary, Mandrem vice Dr. Dataram Shetgaonkar, transferred.
34.	Dr. (Mrs.) Patricia Sequeira, Medical Officer, Cottage Hospital, Chicalim.	Medical Officer, Public Health Laboratory, Directorate of Health Services, Panaji vice Dr. (Mrs.) Vishranti Kaisare, transferred.
35.	Dr. (Mrs.) Preetam Naik, Medical Officer, Primary Health Centre, Betki.	Medical Officer, Family Welfare Bureau, Directorate of Health Services, Panaji vice Dr. Rajendra Tambe, transferred.

The Officers at Sr. No. 16, 32, 25, 26 and 28 shall move first.

No application for leave shall be entertained unless the transferee reports at the new place of posting. The transferee shall submit a copy of the C.T.C. directly to the Public Health Department, Secretariat, Panaji immediately on reporting to new place of posting and intimate his/her residential address at the place of new posting within a period of one month from the date of reporting.

Officers at Sr. No. 3, 12, 15, 16, 20, 26, 29, 32, 34 and 35 shall not be entitled for transfer T.A.

By order and in the name of the Governor of Goa.

L. J. Menezes Pais, Under Secretary (Health).

Panaji, 20th August, 1990.

Order

No. 10/5/88-I/PHD (Vol. II)

The following postings and transfers are ordered with immediate effect in public interest.

Sr. No.	Name, designation and present posting of the Officer	Designation and place of transfer
1.	Dr. Jose P. Noronha Junior Gynaecologist, Primary Health Centre, Canacona.	Junior Gynaecologist, Cottage Hospital, Chicalim against newly created post vide Govt. order No. 1/10/80-I/PHD(Vol. I) dated 9-5-1990.

1	2	3
2.	Dr. Padmavita Poi, Medical Officer, Primary Health Centre, Zaili.	Junior School Health Officer, Primary Health Centre, Bali against newly created post vide Govt. Order No. 1/10/80-I/PHD (Vol.I) dated 9-5-1990.
3.	Dr. Vikas Kuvelkar, Medical Officer, Primary Health Centre, Cansaulim.	Junior School Health Officer, Cansaulim against newly created post vide Govt. Order No. 1/10/80-I/PHD (Vol.I) dated 9-5-1990.
4.	Dr. Anil S. Kakodkar, Medical Officer, Primary Health Centre, Curchorem.	Junior Health Officer, Primary Health Centre, Curchorem against newly created post vide Govt. Order No. 1/10/80-I/PHD (Vol. I) dated 9-5-1990.
5.	Dr. Laxmikant Lawande, Medical Officer, Primary Health Centre, Aldona.	Junior School Health Officer, Primary Health Centre, Aldona against newly created post vide Govt. Order No. 1/10/80-I/PHD (Vol.I) dated 9-5-1990.

2. The persons at Sr. No. 2 to 5 shall hold the current duty charge of the post of Medical Officer till further orders.

3. Consequent upon transfer of Dr. Jose P. Noronha, Dr. Atmaram B. Borkar, Junior Gynaecologist, Hospicio Hospital, Margao shall attend duties of Gynaecologist at Primary Health Centre, Canacona on every Tuesday and Friday, till further orders.

4. Dr. Jose P. Noronha shall not be entitled for transfer T.A.

By order and in the name of the Governor of Goa.

L. J. Menezes Pais, Under Secretary (Health).

Panaji, 23rd October, 1990.

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Department of Labour

Order

No. 28/37/90-LAB

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. Goa Transport Limited, Margao, and their workman Shri Vasudev K. Raut in respect of the matter specified in the Schedule annexed hereto (hereinafter referred to as the 'said dispute');

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the 'said Act'), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa, Daman and Diu at Panaji Goa, constituted under section 7-A of the said Act.

SCHEDULE

"Whether the action of the management of M/s. Goa Transport Limited, Margao, in dismissing from services Shri Vasudev K. Raut, Conductor, with effect from 30.8.1988 is legal and justified.

If not, to what relief the workman is entitled?".

By order and in the name of the Governor of Goa.

Subhash V. Elekar, Under Secretary (Labour).

Panaji, 22nd August, 1990.

Order No. 28/42/83-LAB

The following Award given by the Industrial Tribunal, Goa, Daman and Diu is hereby published as required under the provisions of Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order and in the name of the Governor of Goa.

Subhash V. Elekar, Under Secretary (Labour).

Panaji, 9th February, 1990.

**IN THE INDUSTRIAL TRIBUNAL
GOVERNMENT OF GOA
AT PANAJI**

(Before Shri S. V. Nevagi, Hon'ble Presiding Officer)

Ref. No. IT/19/84

Shri Premanandan K. Kandi ... Workman/Party I
V/s

M/s. V. N. S. Engineering & Services ... Employer/Party II
Workman/Party I represented by Adv. A. Agha.
Employer/Party II represented by Adv. B. G. Kamat.

Panaji, Dated: 10-1-1990

AWARD

This is a reference made by the Government of Goa, by its order No. 28/42/83-ILD dated 11th April, 1984 with an annexure scheduled thereto which reads as follows:

"Whether the action of the management of M/s. V. N. S. Engineering and Services Company, Margao, Salcete, Goa, in terminating the services of Shri Premanandan K. Kandi, Steno-typist with effect from 14-5-1982 is legal and justified?

If not, to what relief the workman is entitled to?"

In this Government reference after it was registered on 16-4-1984 notices were issued to the parties and the workman, Party I filed his claim statement dated 17th May, 1984 claiming that his dismissal from services as a Steno w.e.f. 14-5-1982 was unjust and illegal and he claimed re-instatement with full back wages and other benefits. To this, the partner of the employer filed the Written Statement dated 9th July, 1984 reiterating that the services were terminated on account of loss of confidence because the workman was acting hand-in-glove with their Manager and both were party to the embezzlement of the funds for which they had given a public notice informing the public that their partnership firm had nothing to do with the activities of the duo Mr. Nair and Kandi who were no more in their service. This published notice was issued in the issue of daily The Navhind Times dated 14-5-1982 and incidentally it is that day which is the day of the termination of the services of the workman Kandi. Thereafter the workman Kandi filed his rejoinder dated 25-7-1984 and the parties went on trial.

During the course of the trial an objection was taken on behalf of the management to the jurisdiction of the Tribunal to entertain the Government reference for the reasons mentioned in para. 1 to 3 of the Written Statement. This issue was treated as a preliminary issue and my Predecessor by a speaking order dated 3-5-1985 held that this Tribunal has jurisdiction to try the matter and recording of evidence commenced before me. The evidence of the partner Datta Priolkar was recorded before my Predecessor on 20-1-1986 and that of another Partner Datta Neurenkar dated 14-4-1986. It seems that thereafter Dr. Noronha my Predecessor retired and the matter was on dormant file for more than two years and after my taking over, the evidence of the workman P. K. Kandi was recorded on 14-3-1989 and the submissions were heard before me in the matter and now the matter has come up for a decision after the submissions were heard by me on 7-12-1989.

In fact this is a dispute regarding the alleged illegal termination from services and a claim for reinstatement into

services with full back wages. However, many developments had taken place during the intervening period and the dispute has narrowed down to a position of the consideration of the compensation only as the workman has specifically given up his claim for reinstatement into service. The workman admits in his cross examination before me that he filed an application before court on 14-4-1986 informing the court that he was no more interested into reinstatement in services of Party II and that he has been employed elsewhere and he has restricted his claim for all legal dues to from 15-2-1982 to 20th February, 1985. So the only question that has to be considered in this matter of Government reference is whether the workman is entitled to the emoluments for this much period or for a period which is less than that as Shri Kamat for Party II has something more to say in the matter. So I shall analyse the position from the period of the workman joining the services and how and when he was offered the services by the management of Party II and when he was actually terminated from services.

Shri Agha for the workman during the course of his submission stated before me that the services of the workman were terminated on 14-5-1982 and the workman came to know about it by the publication of the notice in the daily issue of The Navhind Times of the identical date. However, in the examination in chief itself the workman admits that on 14-5-1982 itself one of the partners of the firm by name R. V. Sarmalkar gave him a letter of termination asking him to receive the termination order and sign on the office copy but he refused to accept the letter of termination. He further admitted the office copy of the letter which is at Exh. E-2 and admittedly his services were terminated by that letter dated 14-5-1982 and the question is whether the services were legally and properly terminated or not. The workman did not state anything about the payment made to him then but he admits in cross examination that an amount of Rs. 2,000/- was paid to him as compensation and Shri B. G. Kamat states that this amount was a compensation as the order of termination may be treated as an order of retrenchment and it was due and proper compliance as required u/s 25F of the I.D.A. Even if the compensation was paid it is clear that this is not the strict compliance with the provision as one month's notice is contemplated and to this extent there is infirmity in the order of termination even if a case of loss of confidence is made out. This position I think was duly and properly considered during the conciliation proceedings and we have documentary evidence before us showing that the management had offered unequivocal terms to accept the workman back into their service. There is the letter Exh. W-5 written by the partner of the Firm to the Asst. Labour Commissioner stating that they were prepared to unconditionally take back the workman into service w.e.f. 1st September, 1983 and with this the industrial dispute has not survived. A copy of this was addressed to the workman and the workman had refused to accept. The workman had sent a reply to this as alleged by him vide copy Exh. W-6. He declined the offer saying that he would join the services only if he was paid the back wages of 15 and a half month's and continuity of service was given to him. Anyway to the offer for reinstatement the 'workman' added a rider and he refused to join. To this the management issued a second notice dated 5th September, 1983 vide Exh. W-7 giving another chance to the workman asking him to join on 12th September, 1983 and admittedly the workman did not accept this offer on the spacious ground that the dispute was regarding the back wages and unless that dispute is settled he would not join the service. On this count the management did submit before me that the workman was no more interested in the job because already while he was in service the workman was doing the work as a Steno-typist elsewhere and he was earning elsewhere by working as Steno-typist. It is in common knowledge that the Steno-typists are in great demand and normally a steno does not remain without a job for months together. So, on the showing of the workman himself he had taken a service elsewhere and for this purpose he is no more interested in the reinstatement in the services and this is how the dispute devolves round the figure of back wages and holding this clue Shri Kamat for the employer did submit before me that the claim for back wages from 15-2-1982 till 1-3-1985 the day on which the workman informed the court that he is no more interested in the job is far fetched and imaginary. According to him at the most the workman may be entitled to the wages from 15-2-1982 to 1st September, 1983 a period of

15 and a half months. This is the period which was reiterated by the workman in the conciliation proceedings before the Conciliation Officer and he had declined the offer of reinstatement on this ground only. The management of the Partnership firm had shown its bonafide by offering to reinstate the workman into services without any conditions from 1-9-1983 and if the workman was really interested in the job he would have joined the services on that day. He has not done this for reasons best known to himself and so in the given circumstances it appears clearly that he will be entitled to the back wages for the period of 15 and a half months. On his showing he has received the compensation of Rs. 2000/- after 15-2-1982. The salary for 15 and a half months at the rate of Rs. 550/- p.m. comes to Rs. 8,525.00. After deducting Rs. 2000/- from this amount what remains is Rs. 6,525.00 and the workman will be entitled to this amount under the given circumstances. I, therefore allow this much claim to the workman and pass the following order:

ORDER

It is hereby held that the order of termination of services of Shri Premanandan K. Kandi, Steno-typist by the management of M/s. V. N. S. Engineering & Services, Margao, Salcete, Goa, w.e.f. 14-5-1982 is not legal and justified in the circumstances of the case.

However, instead of directing his reinstatement into services it is hereby directed that the management do pay an amount of Rs. 6,525.00 (Rupees six thousand five hundred twenty five only) to the workman as full compensation for the unjust termination of services within one month from today. If the amount is not paid within one month from today the interest at 12 per cent per annum shall be payable on the amount that shall remain to be paid. The workman is not entitled to any other relief in this Government reference.

There shall be no order as to costs. Inform the Government accordingly about the passing of the award.

S. V. Nevagi
Presiding Officer
Industrial Tribunal

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Department of Inland Water Transport

Notification

No. 1/53/88-IWT

The following Notification received from the Government of India, is hereby re-published for the general information of the public.

Subhash V. Elekar, Under Secretary (I.W.T.)

Panaji, 26th July, 1990.

G. S. R. 430 (E):— In exercise of the power conferred by Sub-Section (1) read with Sub-Section (6) of Section 3

of the Major Port Trusts Act, 1963 (38 of 1963), the Central Government hereby appoints the person mentioned against serial numbers 1 to 11 in the table below to be Trustees on the Board of Trustees for the Port of Mormugao and notified the persons mentioned against serial number 12 to 15 in the said table as elected to the Trustees on the said Board namely:—

TABLE

1. Chairman.	—	
2. Deputy Chairman.	—	
3. Secretary (IWT), Government of Goa.	—	Representing the Government of Goa.
4. Deputy Secretary (PD) Ministry of Surface Transport.	—	Representing the Ministry of Surface Transport.
5. Additional Collector of Customs and Central Excise, Panaji.	—	Representing the Customs Department.
6. Chief Staff Officer of Flag-Officer, Goa Area.	—	Representing the Defence Services Navy.
7. General Manager, Western Region, India Oil Corporation, Bombay.	—	Representing the Indian Oil Corporation.
8. Divisional Railway Manager, South Central Railway, Hubli.	—	Representing the Indian Railways.
9. Divisional Manager, Minerals & Metal Trading Corporation of India Ltd., Goa.	—	Representing the Minerals & Metal Trading Corporation of India Ltd. Goa.
10. Shri S. R. Kulkarni.	—	Representing the Labour employed in the Port.
11. Shri A. J. Peters.	—	Representing the Labour employed in the Port.
12. Shri S. R. Thakkar.	—	Representing the Indian National Shipowners Association.
13. Shri Vasudev V. Dempo.	—	Representing the Goa Mineral Ore Exporters Association.
14. Shri P. S. Angle.	—	Representing the Goa Chamber of Commerce and Industry.
15. Shri G. S. Naik.	—	Representing the Mormugao Ships Agents Association.
16. Shri Ashok Deshpandhu.	—	Representing the Goa Barge Owners Association.

2. This notification shall come into force on the 1st day of April, 1990.